

Notice of Allowability

Application No.

10/025,718

Examiner

Minh-Chau T. Pham

Applicant(s)

MOORE ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 4/26/04.
2. ☒ The allowed claim(s) is/are 1-65.
3. ☒ The drawings filed on 19 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Minh-Chau Pham
Patent Examiner
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DUANE SMITH
PRIMARY EXAMINER

Allowable Subject Matter

Claims 1-22 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a water treatment for reducing the concentration of arsenic in water below an acceptable level comprising means for adsorbing arsenic on the magnesium hydroxide and means for separating and removing from the water the magnesium hydroxide with adsorbed arsenic wherein the magnesium hydroxide has a median particle size less than 3 microns.

Claims 23-36 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a continuous water treatment for reducing the concentration of arsenic in water below an acceptable level comprising means for continuously adsorbing arsenic on the magnesium hydroxide and means for continuously separating and removing from the water the magnesium hydroxide with adsorbed arsenic wherein the magnesium hydroxide has a median particle size less than 3 microns.

Claims 37-43 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a water treatment for reducing the concentration of arsenic in water below an acceptable level comprising means for adsorbing arsenic on the magnesium hydroxide and means for separating and removing from the water the magnesium hydroxide with adsorbed arsenic thereby reducing the concentration of arsenic in the

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water below the acceptable level, wherein the magnesium hydroxide is permitted to adsorb arsenic for a period of time.

Claims 44-56 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a continuous water treatment for reducing the concentration of arsenic in water below an acceptable level comprising means for continuously adsorbing arsenic on the magnesium hydroxide and means for continuously separating and removing from the water the magnesium hydroxide with adsorbed arsenic, whereby an aqueous solution comprising the removed magnesium hydroxide with adsorbed arsenic is continuously produced.

Claims 57-65 allowed.

The following is an examiner's statement of reasons for allowance: None of the prior arts discloses a water treatment for reducing the concentration of arsenic in water below an acceptable level comprising means for adsorbing arsenic on the magnesium hydroxide and means for separating and removing from the first sample the magnesium hydroxide with adsorbed arsenic, means for adding the removed magnesium hydroxide with adsorbed arsenic to a second sample of water, wherein the volume of liquid in the second sample is substantially less than the volume of liquid in the first sample, and means for converting the magnesium hydroxide with adsorbed arsenic in the second sample to magnesium carbonate whereupon free arsenic is released into solution, whereby the concentration of free arsenic in the second sample is concentrated relative

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to the first sample by the ratio of the volume of liquid in the first sample divided by the volume of liquid in the second sample

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Chau T. Pham whose telephone number is (571) 272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Minh-Chau Pham

Patent Examiner

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June 21, 2004

DUANE SMITH
PRIMARY EXAMINER

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